

REMARKS

The Examiner noted that claims 14-70 were renumbered as claims 13-69 in accordance with Rule 1.126 as claim 13 was omitted and numbers cannot be skipped. The present response reflects this renumbering. Claims 1, 4, 10, 47-57 and 58 have been amended. No claims have been added or cancelled in the present response. Therefore claims 1-12 and 29-69 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 101 Rejection:

The Examiner rejected claims 47-57 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 47-57 have been amended to recite a tangible, computer-accessible medium. Applicants respectfully request removal of the § 101 rejection.

Double Patenting Rejections:

The Examiner provisionally rejected claims 1-12 and 29-69 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of co-pending Application Nos. 10/106,398, 10/106,600, 10/106,601, 10/106,604 and 10/106,731. Since the rejections are *provisional* Applicants will present arguments traversing the rejections and/or terminal disclaimers when and if the rejections become non-final, assuming the Examiner still believes the rejections to be appropriate in light of the above amendments.

Section 102(b) Rejection:

The Examiner rejected claims 1, 3-7, 10-12, 33, 35-37, 40-43, 47, 50-54, 58-60 and 63-66 under 35 U.S.C. § 102(b) as being anticipated by Syeda-Mahmood (hereinafter “Syeda”) (U.S. Patent 5,920,856). Applicants respectfully traverse this rejection for at

least the following reasons.

Regarding claim 1, Syeda does not disclose that the query request is formatted according to a query routing protocol and where the search query is routed to at least one provider according to the same query routing protocol. Syeda teaches that queries are translated “into forms the respective database expect, but fails to mention anything about a single query routing protocol according to which query request are formatted and according to which a search query is routed to providers (Syeda, column 7, lines 14-38). Nowhere does Syeda mention anything regarding routing search queries according to any sort of query routing protocol and where query requests are also formatted according to the same query routing protocol. Thus, the rejection of claim 1 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 1 also apply to claim 47.

Regarding claim 10, Syeda does not disclose wherein at least one of the provider registrations is for a second network hub coupled to the network. In contrast, Syeda teaches a meta-server/database system that includes a *single* network server connected to a network of consumers and providers. Nowhere does Syeda mention that this single server includes at least one provider registration for a second network hub. Furthermore, Syeda fails to describe any mechanism by which his system could include provider registrations for a second network hub. For at least the reasons above, the rejection of claim 10 are not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 10 also apply to claim 58.

Section 103(a) Rejections:

The Examiner rejected claims 8, 31, 32, 34, 44, 55 and 67 under 35 U.S.C. § 103(a) as being unpatentable over Syeda, and claims 2, 9, 29, 30, 38, 39, 45, 46, 48, 49, 56, 57, 61, 62, 68 and 69 as being unpatentable over Syeda in view of Monday (U.S. Patent 6,480,860). Applicants respectfully traverse these rejections for at least the reasons given above in regard to the independent claims.

In further regard to claims 31 and 32, the Examiner takes official notice that “depth first searches and breadth first searches are well known in the art and commonly used for deep searching and width searching.” Pursuant to M.P.E.P. § 2144.03, Applicant traverses the Examiner’s taking of official notice and asserts that “the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained. See also 37 CFR 1.104(c)(2), (d)(2) and *In re Zurko*, 258 F.3d 1379, 1386 (Fed. Cir. 2001). Also, claims 21 and 32 do not just recite deep search and wide search, respectively. Instead, they recite that a particular combination of elements are combined to implement deep search or wide search. It is not well known to implement deep or wide search with the particular combination of elements recited in the claims.

Moreover, regarding both the § 102 and § 103 rejections, Applicants assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejections have been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

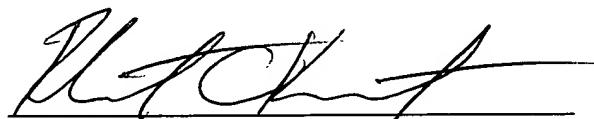
Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-91401/RCK

Also enclosed herewith are the following items:

- Return Receipt Postcard
- Petition for Extension of Time
- Notice of Change of Address
- Other:

Respectfully submitted,



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